

Press Release National Labor Relations Board Office of the General Counsel

March 3, 2010

Contact:

Office of Public Affairs 202-273-1991 publicinfo@nlrb.gov www.nlrb.gov

NLRB seeks injunction against New York egg processor

Employees favoring union representation were allegedly threatened, fired before vote

The National Labor Relations Board, through its regional office in Buffalo, New York, is seeking a federal court order to force an egg processor, Deb-El Food Products, to rehire seven fired union supporters and begin contract negotiations with the United Food and Commercial Workers union (UFCW).

The petition filed today in federal district court argues that action is urgently needed. "Unless injunctive relief is immediately obtained, it is anticipated that Respondent will continue its unlawful conduct...with the result that employees will continue to be deprived of their fundamental right to organize for purposes of collective bargaining."

A majority of the Thompsonville facility's workers signed cards in mid-May seeking a union election. In the weeks before the late June election date, according to the petition, the employer's agents allegedly engaged in a sustained effort to discourage union support, threatening employees with dismissal and loss of benefits, telling them a union vote would be futile, and asking employees to sign an anti-union petition. One employee was allegedly asked to take a cell phone picture of his ballot. Seven union supporters were fired.

In the end, 18 employees cast ballots for the union and 21 voted against it. In response to charges filed by the union ((3-CA-27215) and after a thorough investigation, the region found that the alleged pre-election misconduct made a legitimate vote impossible, even if rerun. Accordingly, the Region is asking that the injunctive relief require that the Respondent bargain with the Union. The petition for injunctive relief was filed in U.S. District Court for the Southern District of New York.

The National Labor Relations Board is an independent federal agency vested with the authority to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The NLRB's Office of the General Counsel has independent prosecutorial discretion under the National Labor Relations Act to issue complaints alleging unfair labor practices.

###